

REMARKS/ARGUMENTS

The Applicant thanks the Examiner for the Office Action dated January 22, 2009.

Amendments

Claim 1 has been amended to specify that the data regarding the identity of the banking customer is a unique pen identifier contained in the pen. Furthermore, claim 1 specifies that the pen identifier is associated with the identity of the banking customer. Basis for this amendment can be found at page 50, lines 27-29; page 58, lines 10-15; and page 69, lines 19-23.

A similar amendment has been made to claim 24.

Claim Rejections - 35 USC § 103

In the most recent Office Action, the Examiner alleged that Gott disclosed the feature of:

“generating, in the pen, **data regarding ... the identity of the banking customer** ...”

Presumably, the Examiner had it in mind that Gott’s wand, which can read alphanumeric characters on a check, would be able to generate data regarding the identity of the banking customer by reading, for example, the customer’s name printed on the check.

Therefore, claim 1 has been amended to distinguish the present invention more clearly from the disclosure of Gott. In particular, claim 1 now specifies that the pen contains a unique pen identifier and that this pen identifier is associated with the banking customer in the computer system.

Thus, secure banking transactions are assured in the present invention, because the pen performing the banking transaction carries unique data enabling identification of the banking customer. This helps to prevent fraudulent banking transactions. By contrast, Gott relies on reading characters from a page in order to identify the banking customer. Gott’s system is therefore significantly more open to fraudulent banking transactions.

Since neither Gott nor any of the other cited prior art teaches or suggests the feature of a unique pen identifier being associated with a banking customer, it is submitted that the present invention is not obvious. Accordingly, the Examiner is requested to reconsider his rejections of obviousness against the present claims.

It is respectfully submitted that all of the Examiner's objections have been successfully traversed. Accordingly, it is submitted that the application is now in condition for allowance. Reconsideration and allowance of the application is courteously solicited.

Very respectfully,

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